

UNITED STATES BANKRUPTCY COURT
FOR THE EASTERN DISTRICT OF TEXAS
LUFKIN DIVISION

UNITED STATES BANKRUPTCY COURT
FOR THE EASTERN DISTRICT OF TEXAS
01 APR -2 PM 1:32
U.S. BANKRUPTCY
COURT
BY _____ DEPUTY

IN RE:
BEARD, BRIAN KEITH
BEARD, RHONDA LYNNE

DEBTOR(S)

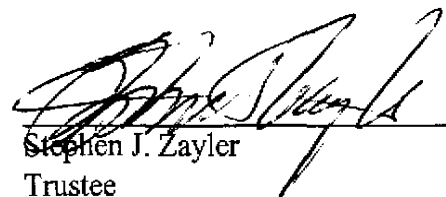
)
) CASE NO. 99-91178
)
) CHAPTER 7
)

**TRUSTEE'S FINAL REPORT, APPLICATION FOR COMPENSATION,
AND REPORT OF PROPOSED DISTRIBUTION**

Stephen J. Zayler, trustee of the estate of the above-named Debtor(s), certifies to the Court and the United States Trustee, that the trustee has faithfully and properly fulfilled the duties of the office of the trustee, that the trustee has examined all proofs of claims as appropriate under the proposed distribution, and that the proposed distribution, attached hereto, is proper and consistent with the law and rules of the court. The trustee applies for commission and expenses set forth herein and states that they are reasonable and proper.

Therefore, the trustee requests that the Final Report, Application for Compensation, and Report of Proposed Distribution be approved.

DATE: March 8, 2001


Stephen J. Zayler
Trustee


REVIEWED BY THE UNITED STATES TRUSTEE:

I have reviewed the Trustee's Final Report, Application for Compensation, and Report of Proposed Distribution and have no objection.

United States Trustee

Date: 3-14-01

By: 

50 

UNITED STATES BANKRUPTCY COURT
FOR THE EASTERN DISTRICT OF TEXAS
LUFKIN DIVISION

| | | |
|---------------------|---|-------------------|
| IN RE: |) | |
| BEARD, BRIAN KEITH |) | CASE NO. 99-91178 |
| BEARD, RHONDA LYNNE |) | |
| |) | CHAPTER 7 |
| DEBTOR(S) |) | |

**TRUSTEE'S FINAL REPORT, APPLICATION FOR COMPENSATION
AND APPLICATION TO CLOSE CASE AND DISCHARGE TRUSTEE**

The Trustee of the estate presents the following final report:

1. The Trustee applies for commissions and expenses set forth herein: That they are reasonable and proper; that in the course of the performance of duties, the Trustee has advanced monies from personal funds for expenses, and that the Trustee has not been reimbursed or indemnified.

2. The Trustee submits Schedule F as a summary of the assets and an estate property record. Any property scheduled under 11 U.S.C. Sec. 521(1) and not administered shall be deemed abandoned pursuant to 11 U.S.C. Sec. 554(c).

3. The Trustee has reduced all assets of this estate to cash or otherwise lawfully disposed of them, and the estate is ready to be closed.

4. The Trustee submits Schedule A as the account of estate cash receipts and disbursements.

5. There is no agreement or understanding between the Trustee and any other person for a division of the compensation sought by this application except as permitted by the Bankruptcy Code.

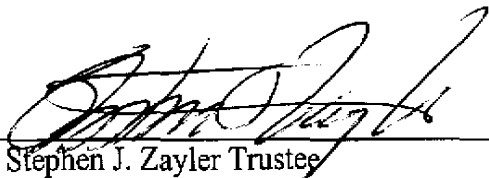
6. The Trustee requests approval of this final report.

7. The Trustee has examined each and every claim filed and noted his approval of claims as filed, or he has filed objections to allowance or requests for reclassification.

8. The Trustee further requests that after final distribution of all monies in accordance with the Trustee's Report of Final Distribution, and upon filing of A Supplemental Final Report and Account and certification by the U.S. Trustee the trustee be discharged from office and that the case be closed.

I declare under penalty of perjury that this Report and attached Schedules are true and correct to the best of my knowledge and belief.

Dated: March 8, 2001


Stephen J. Zayler Trustee

SCHEDULE A-1

FINAL ACCOUNT AS OF March 8, 2001

| | |
|-------------|------------|
| A. RECEIPTS | \$2,066.95 |
|-------------|------------|

B. DISBURSEMENTS

| | |
|-----------------------|------|
| (1) Secured creditors | 0.00 |
|-----------------------|------|

| | |
|--------------------|------|
| (2) Administrative | 0.00 |
|--------------------|------|

| | |
|--------------|------|
| (3) Priority | 0.00 |
|--------------|------|

| | |
|-----------|------|
| (4) Other | 0.00 |
|-----------|------|

| | |
|---------------------|--------|
| TOTAL DISBURSEMENTS | \$0.00 |
|---------------------|--------|

| | |
|------------------|------------|
| BALANCE OF FUNDS | \$2,066.95 |
|------------------|------------|

TRUSTEE'S FINAL REPORT CASE SUMMARY

TRUSTEE:

ZAYLER

COMMENTS:

CASE NAME:

BEARD, BRIAN/RHONDA

CASE NUMBER:

99-91178

DATE UST APPROVED:

03-14-01

ESTATE INCOME:
TOTAL RECEIPTS:

\$2,066.95 100.00%

ESTATE EXPENSES:
TRUSTEE'S COMMISSION
TRUSTEE'S EXPENSES
FIRM'S PROFESSIONAL FEES
FIRM'S PROFESSIONAL EXPENSES
OTHER ATTORNEY FEES
OTHER PROFESSIONAL FEES
COURT COSTS
ESTATE EXPENSES(TAXES, ETC)
PRIOR CHAPTER COSTS
SECURED CLAIMS PAID
PRIORITY CLAIMS PAID
UNSECURED CLAIMS PAID
OTHER(RETURN TO DEBTOR, ETC)

| | |
|----------|--------|
| 516.74 | 25.00% |
| 336.29 | 16.27% |
| 0.00 | 0.00% |
| 0.00 | 0.00% |
| 0.00 | 0.00% |
| 0.00 | 0.00% |
| 0.00 | 0.00% |
| 0.00 | 0.00% |
| 0.00 | 0.00% |
| 0.00 | 0.00% |
| 0.00 | 0.00% |
| 1,213.92 | 58.73% |
| 0.00 | 0.00% |



UNSECURED CLAIMS
ALLOWED

30,716.58

UNSECURED CLAIMS
PAID

1,213.92

PERCENT RECOVERED
FOR UNSECURED
3.95%

FORM 1
INDIVIDUAL ESTATE PROPERTY RECORD AND REPORT
ASSET CASES

Page: 1

Case No: 99-91178 HP1 Judge: BILL PARKER
Case Name: BEARD, BRIAN KEITH
BEARD, RJIONDA LYNNE
For Period Ending: 03/08/01

Trustee Name: Stephen J. Zayler
Date Filed (f) or Converted (c): 07/19/99 (f)
341(a) Meeting Date: 09/02/99
Claims Bar Date: 02/22/00

| 1 | 2 | 3 | 4 | 5 | 6 |
|---|------------------------------------|---|---|---|---|
| Asset Description (Scheduled and Unscheduled (u) Property) | Petition/ Unscheduled Values | Estimated Net Value (Value Determined by Trustee, Less Liens, Exemptions, and Other Costs) | Property Abandoned OA=554(a) Abandon DA=554(c) Abandon | Sale/Funds Received by the Estate | Asset Fully Administered (FA)/ Gross Value of Remaining Assets |
| 1. HOMESTEAD | 120,000.00 | 0.00 | | 0.00 | FA |
| 2. CASH ON HAND | 50.00 | 50.00 | DA | 0.00 | FA |
| 3. CKG. & SAV. ACCT. | 75.00 | 2,056.96 | | 2,056.96 | FA |
| 4. HOUSEHOLD GOODS | 2,500.00 | 0.00 | | 0.00 | FA |
| 5. BOOKS, PICTURES | 250.00 | 0.00 | | 0.00 | FA |
| 6. WEARING APPAREL | 300.00 | 0.00 | | 0.00 | FA |
| 7. JEWELRY | 100.00 | 0.00 | | 0.00 | FA |
| 8. SHOTGUN | 150.00 | 0.00 | | 0.00 | FA |
| 9. RETIREMENT | 0.00 | 0.00 | | 0.00 | FA |
| 10. '88 FREIGHTLINER AND TRAILER | 16,000.00 | 0.00 | | 0.00 | FA |
| 11. '92 FORD PICKUP | 7,000.00 | 0.00 | | 0.00 | FA |
| 12. '96 FORD TRUCK | 8,500.00 | 0.00 | | 0.00 | FA |
| 13. Post-Petition Interest Deposits (u) | Unknown | N/A | | 9.99 | FA |

| | | | | |
|-----------------------------------|--------------|------------|------------|-----------------------------------|
| TOTALS (Excluding Unknown Values) | \$154,925.00 | \$2,106.96 | \$2,066.95 | Gross Value of Remaining Assets |
| | | | | \$0.00 |
| | | | | (Total Dollar Amount in Column 6) |

Major activities affecting case closing which are not reflected above, and matters pending, date of hearing or sale, and other action:

Initial Projected Date of Final Report (TFR): 12/31/00 Current Projected Date of Final Report (TFR): 12/31/01

FORM 2

Page: 1

ESTATE CASH RECEIPTS AND DISBURSEMENTS RECORD

Case No: 99-91178 BPI
Case Name: BEARD, BRIAN KEITH
BEARD, RHONDA LYNN
Taxpayer ID No: 76-6160655
For Period Ending: 03/08/01

Trustee Name: Stephen J. Zayler
Bank Name: BANK OF AMERICA
Account Number: 3754223635 Money Market - Interest Bearing

Blanket Bond (per case limit): \$ 300,000.00
Separate Bond (if applicable):

| 1 Transaction Date | 2 Check or Reference | 3 Paid To / Received From | 4 Description Of Transaction | 5 Deposits (\$) | 6 Interest (\$) | 7 Checks (\$) | 8 Adjustments (\$) | 9 Transfers (\$) | 10 Account Balance (\$) |
|--------------------------|----------------------------|------------------------------|---|--------------------|--------------------|------------------|--------------------------|---------------------|-------------------------------|
| 05/25/00 | 3 | RHONDA L. BEARD | BALANCE FORWARD REIMBURSEMENT TO ESTATE OF FUNDS ON DEPOSIT ON DATE OF FILING. | 100.00 | | | | | 0.00 |
| 05/31/00 | 13 | BANK OF AMERICA | Interest Rate 2.350 | | 0.01 | | | | 100.01 |
| 06/28/00 | 3 | RHONDA L. BEARD | REIMBURSEMENT OF FUNDS ON DEPOSIT ON DATE OF FILING. | 100.00 | | | | | 200.01 |
| 06/30/00 | 13 | BANK OF AMERICA | Interest Rate 2.350 | | 0.20 | | | | 200.21 |
| 07/31/00 | 13 | BANK OF AMERICA | Interest Rate 2.350 | | 0.40 | | | | 200.61 |
| 08/31/00 | 13 | BANK OF AMERICA | Interest Rate 2.350 | | 0.40 | | | | 201.01 |
| 09/29/00 | 13 | BANK OF AMERICA | Interest Rate 2.350 | | 0.37 | | | | 201.38 |
| 10/31/00 | 13 | BANK OF AMERICA | Interest Rate 2.350 | | 0.41 | | | | 201.79 |
| 11/30/00 | 13 | BANK OF AMERICA | Interest Rate 2.350 | | 0.39 | | | | 202.18 |
| 12/29/00 | 13 | BANK OF AMERICA | Interest Rate 2.350 | | 0.38 | | | | 202.56 |
| 01/02/01 | 3 | Z. T. TRUCKING | REIMBURSEMENT TO ESTATE OF FUNDS ON DEPOSIT ON DATE OF FILING. | 1,000.00 | | | | | 1,202.56 |
| 01/18/01 | 3 | 3 T TRUCKING COMPANY | BALANCE OF FUNDS ON DEPOSIT ON DATE OF FILING. | 856.96 | | | | | 2,059.52 |
| 01/31/01 | 13 | BANK OF AMERICA | Interest Rate 2.350 | | 2.78 | | | | 2,062.30 |
| 02/28/01 | 13 | BANK OF AMERICA | Interest Rate 2.350 | | 3.72 | | | | 2,066.02 |
| 03/08/01 | 13 | BANK OF AMERICA | INTEREST REC'D FROM BANK | | 0.93 | | | | 2,066.95 |
| 03/08/01 | | Transfer to acct #3754223923 | Final Posting Transfer | | | | | -2,066.95 | 0.00 |

ESTATE CASH RECEIPTS AND DISBURSEMENTS RECORD

Case No: 99-91178 BP1
Case Name: BEARD, BRIAN KEITH
BEARD, RHONDA LYNNIE
Taxpayer ID No: 76-6160655
For Period Ending: 03/08/01

Trustee Name: Stephen J. Zaylor
Bank Name: BANK OF AMERICA
Account Number: 3754223635 Money Market - Interest Bearing
Blanket Bond (per case limit): \$ 300,000.00
Separate Bond (if applicable):

| 1 | 2 | 3 | 4 | 5 | 6 | 7 | 8 | 9 | 10 |
|------------------|--------------------|-------------------------|----------------------------|---------------|---------------|-------------|------------------|----------------|----------------------|
| Transaction Date | Check or Reference | Paid To / Received From | Description Of Transaction | Deposits (\$) | Interest (\$) | Checks (\$) | Adjustments (\$) | Transfers (\$) | Account Balance (\$) |

| | | | | | | | | | |
|----------------------|------------------|-------------|-------------------|-------------|--|--|--|--|--|
| Account 3754223635 | Balance Forward | 0.00 | 0 Checks | 0.00 | | | | | |
| 4 Deposits | 2,056.96 | | 0 Adjustments Out | 0.00 | | | | | |
| 11 Interest Postings | 9.99 | | 1 Transfers Out | 2,066.95 | | | | | |
| | Subtotal | \$ 2,066.95 | Total | \$ 2,066.95 | | | | | |
| | 0 Adjustments In | 0.00 | | | | | | | |
| | 0 Transfers In | 0.00 | | | | | | | |
| | Total | \$ 2,066.95 | | | | | | | |

FORM 2

ESTATE CASH RECEIPTS AND DISBURSEMENTS RECORD

Trustee Name: Stephen J. Zayler
 Bank Name: BANK OF AMERICA
 Account Number: 3754223923 Checking - Non Interest

Blanket Bond (per case limit): \$ 300,000.00

Separate Bond (if applicable):

Case No: 99-91178 BP1
 Case Name: BEARD, BRIAN KEITH
 BEARD, RHONDA LYNN
 Taxpayer ID No: 76-6160655
 For Period Ending: 03/08/01

| 1 | 2 | 3 | 4 | 5 | 6 | 7 | 8 | 9 | 10 |
|------------------|--------------------|--------------------------------|---|---------------|---------------|-------------|------------------|----------------|----------------------|
| Transaction Date | Check or Reference | Paid To / Received From | Description Of Transaction | Deposits (\$) | Interest (\$) | Checks (\$) | Adjustments (\$) | Transfers (\$) | Account Balance (\$) |
| 03/08/01 | | Transfer from Acct #3754223635 | BALANCE FORWARD Transfer In From MMA Account | | | | | 2,066.95 | 2,066.95 |

| | | | | |
|--------------------|---------------------|-------------|-------------------|---------|
| Account 3754223923 | Balance Forward | 0.00 | 0 Checks | 0.00 |
| | 0 Deposits | 0.00 | 0 Adjustments Out | 0.00 |
| | 0 Interest Postings | 0.00 | 0 Transfers Out | 0.00 |
| | Subtotal | \$ 0.00 | Total | \$ 0.00 |
| | 0 Adjustments In | 0.00 | | |
| | 1 Transfers In | 2,066.95 | | |
| | Total | \$ 2,066.95 | | |

| | | | | |
|---------------|----------------------|-------------|-------------------|-------------|
| Report Totals | Balance Forward | 0.00 | 0 Checks | 0.00 |
| | 4 Deposits | 2,056.96 | 0 Adjustments Out | 0.00 |
| | 11 Interest Postings | 9.99 | 1 Transfers Out | 2,066.95 |
| | Subtotal | \$ 2,066.95 | Total | \$ 2,066.95 |
| | 0 Adjustments In | 0.00 | | |
| | 1 Transfers In | 2,066.95 | | |
| | Total | \$ 4,133.90 | Net Total Balance | \$ 2,066.95 |

SCHEDULE B

APPLICATION FOR COMPENSATION

COMPUTATION OF COMMISSIONS

| | | | |
|----------|------------|-----------------------|----------|
| Receipts | \$2,066.95 | 25 % of First \$5,000 | \$516.74 |
| Less | -\$5,000 | (\$1,250.00 Max) | |
| Balance | \$0.00 | 10 % of Next \$45,000 | \$0.00 |
| Less | -\$45,000 | (\$4,500.00 Max) | |
| Balance | \$0.00 | 5 % of Next \$950,000 | \$0.00 |
| Less | -\$950,000 | (\$47,500.00 Max) | |
| Balance | \$0.00 | 3 % of Balance | \$0.00 |

| | |
|------------------------------|----------|
| TOTAL COMPENSATION REQUESTED | \$516.74 |
|------------------------------|----------|

TRUSTEE EXPENSES:

| | | |
|--|--------------|----------|
| Premium on Trustee's Bond | | \$0.00 |
| Travel (0.00 at 0.00cents per mile) | | \$0.00 |
| Copies (287.00 page at 0.25 cents per copy) | | \$71.75 |
| Postage | | \$17.39 |
| Telephone Charges | | \$15.00 |
| Clerical/Secretarial (4.30 hrs. at 15.00 per hour) | SEE ATTACHED | \$64.50 |
| Paralegal/Assistance (3.30 hrs. at 50.00 per hour) | SEE ATTACHED | \$165.00 |
| Supplies/Stationary | | \$2.65 |
| Distribution Expenses | | \$0.00 |
| Miscellaneous | | \$0.00 |

| | |
|----------------|----------|
| TOTAL EXPENSES | \$336.29 |
|----------------|----------|

Records : Trustee did not take possession of
business or personal records of Debtor.

X

Notice given debtor on
to pick up business or personal records
in hands of Trustee.

THE STATE OF TEXAS)

COUNTY OF ANGELINA)

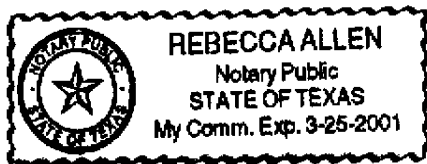
BEFORE ME, the undersigned authority on this date personally appeared Stephen J. Zayler, and under oath stated the following:

"I, Stephen J. Zayler, am the duly appointed Trustee in the BRIAN KEITH BEARD and RHONDA BEARD bankruptcy proceeding. I am hereby making application for the maximum amount of Trustee fees, as it is my opinion that the maximum amount was earned by me in carrying out my duties as Trustee. I held the 341a meeting, collected assets which required the necessity of filing a Motion for Turn Over, reviewed claims and had numerous conferences and correspondence with the debtors, the debtors' attorney and creditors. Further, I performed all other numerous duties of a Trustee, including, but not limited to, preparing Trustee's Final Report, will make disbursements and will prepare the Supplemental Final Report.


Stephen J. Zayler

SWORN TO AND SUBSCRIBED TO before me on this the 8th day of March, 2001.


NOTARY PUBLIC, THE STATE OF TEXAS



ITEMIZATION OF SECRETARIAL AND CLERICAL TIME

July 23, 1999 - Setting up file;
(RA - .10)

December 1, 1999 - Receipt of and calendar bar date;
(RA - .10)

May 25, 2000 - Preparation of receipt of check;
(CP - .10)

May 25, 2000 - Telephone conference with Bank of America opening new account
with and load account information;
(RA - .20)

May 25, 2000 - Prepare deposit and post;
(RA - .20)

May 25, 2000 - Prepare W-9 for transmittal to Bank of America;
(RA - .10)

May 25, 2000 - Organize file;
(RA - .10)

June 16, 2000 - Reconcile bank statement;
(SB - .10)

June 28, 2000 - Preparation of receipt of check;
(CP - .10)

June 28, 2000 - Prepare deposit and post;
(RA - .20)

July 14, 2000 - Reconcile bank statement;
(SB - .10)

July 16, 2000 - Receive and review correspondence from Internal Revenue
Service regarding tax identification number;
(RA - .10)

August 11, 2000 - Reconcile bank statement;
(SB - .10)

September 14, 2000 - Reconcile bank statement;
(SB - .10)

October 3, 2000- Prepare payment log for file and log book;
(SB - .10)

October 20, 2000 - Reconcile bank statement;

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(SB - .10)

November 15, 2000 - Reconcile bank statement;
(SB - .10)

December 13, 2000 - Reconcile bank statement;
(SB - .10)

December 27, 2000 - Telephone conference with Ann Turner regarding amount owed by the debtors;
(RA - .10)

January 5, 2001 - Organize file;
(RA - .10)

January 17, 2001 - Correspondence to Court requesting Clerk's Bill of Cost and docket sheet;
(RA - .20)

January 16, 2001 - Reconcile bank statement;
(MR - .10)

January 18, 2001 - Preparation of receipt of funds;
(CP - .10)

January 18, 2001 - Prepare deposit and post;
(RA - .20)

February 14, 2001 - Reconcile bank statement;
(MR - .10)

February 26, 2001 - Receive and review Bill of Costs;
(RA - .10)

March 8, 2001 - Correspondence to Court returning claims folder;
(RA - .20)

March 8, 2001 - Copy all bank statements and deposit slips for delivery of originals to U. S. Trustee's office;
(MR - .30)

March 8, 2001 - Organize file;
(RA - .20)

March 8, 2001 - Transfer funds from MMA to checking account at Bank of America and post accrued interest;
(RA - .20)

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March 8, 2001 - Compile Trustee's Final Report for submission to U. S.
Trustee;
(RA - .30)

RECAP OF SECRETARIAL & CLERICAL TIME:

| | | |
|-------------------|----------------------------------|-------|
| REBECCA ALLEN - | 2.70 hrs. @ \$15.00/per hr. = \$ | 40.50 |
| CARI PARRISH - | .30 hrs. @ \$15.00/per hr. = | 4.50 |
| SANDY BELSCHNER - | .80 hrs. @ \$15.00/per hr. = | 12.00 |
| MILLIE REEVES - | .50 hrs. @ \$15.00/per hr. = | 7.50 |
| | | <hr/> |
| TOTAL: | 4.30 hrs. @ \$15.00/per hr. = \$ | 64.50 |

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ITEMIZATION OF PARALEGAL TIME

November 12, 1999 - Load asset, lien information and exemption information into computer;

(RA - .60)

November 16, 1999 - Prepare Request for Clerk to Set Bar Date;

(RA - .10)

February 9, 2000 - Follow-up to correspondence to Richard Hughes, attorney for debtor, advising that the debtor has not cooperated in turning over funds on deposit on date of filing as previously requested by the Trustee;

(RA - .30)

April 12, 2000 - Follow-up correspondence to debtors demanding turn over of funds on deposit on date of filing;

(RA - .30)

December 5, 2000 - Prepare Motion for Turn Over of Funds on Deposit along with proposed Order;

(SC - .80)

January 4, 2001 - Correspondence to Ann Turner, mother of debtors, acknowledging receipt of payment and the amount needed to pay amount off;

(RA - .30)

January 16, 2001 - Correspondence to debtors regarding Court's Order for Turnover of Funds;

(RA - .30)

January 18, 2001 - Load claim information;

(RA - .60)

RECAP OF PARALEGAL TIME:

REBECCA ALLEN (RA) - 2.50 hrs. @ \$50.00/per hr. = \$ 125.00

SHERRY CARNLEY (SC) - .80 hrs. @ \$50.00/per hr. = 40.00

TOTAL: 3.30 hrs. @ \$50.00/per hr. = \$ 165.00

RESUMES OF PARALEGAL ASSISTANTS TO THE TRUSTEE

Rebecca Allen

Employed by the Trustee September 1, 1990. Has 23 years bankruptcy and other legal experience and was formerly employed by another Chapter 7 Trustee.

Her duties performed for the Trustee include loading information into the case management system when files are received, preparation of Trustee's Report of No Distribution, preparation of various correspondence between Trustee and interested parties, answer telephone calls regarding routine questions, assisting with the location, collection and disposition of assets, assisting in the collection of sale proceeds and accounts receivable, answering questions from creditors, opening bank accounts, securing Tax ID Nos., preparing deposits and disbursement checks, posting deposits and disbursements into computer, reconciling bank statements, organizing files, preparation of objections to claims, preparation of various pleadings including applications and motions in contested matters, preparation of semi-annual reports, preparation of Trustee's Final Reports and Request for Compensation and preparation of Trustee's Supplemental Final Reports.

Sherry Carnley

Employed by the Trustee December 1, 1994. Has 18 years broad legal experience in all areas of law.

Her duties performed for the Trustee include organizing files, preparation of various pleadings including applications and motions in contested matters, principal assistant to the attorney for the Trustee in the preparation of adversary proceeding complaints, discovery, pre-trial and post-trial pleadings, preparing monthly reports in operating Chapter 7's, principally responsible for assisting with the location, collection, and disposition of assets, assisting in the collection of sale proceeds and accounts receivable, answering general questions from creditors, preparation of correspondence, preparation of objections to claims, preparation of various miscellaneous and other legal documents.

SCHEDULE C
EXPENSES OF ADMINISTRATION

| | (1) Amount Claimed | (2) Amount Allowed | (3) Previously Paid | (4) Due |
|---|-----------------------|-----------------------|------------------------|----------|
| 1. 11 U.S.C. Sec. 507(a)(1) Court Costs and Fees | 0.00 | 0.00 | 0.00 | 0.00 |
| 2. 11 U.S.C. Sec. 503(b)(1)(a) Preservation of Estate | 0.00 | 0.00 | 0.00 | 0.00 |
| 3. 11 U.S.C. Sec. 503(b)(2) Post-Petition taxes and related penalties | 0.00 | 0.00 | 0.00 | 0.00 |
| 4. 11 U.S.C. Sec. 503(b)(2) Compensation and Reimbursements | | | | |
| A. Trustee - Compensation | 516.74 | 516.74 | 0.00 | 516.74 |
| B. Trustee - Expense | 336.29 | 336.29 | 0.00 | 336.29 |
| BkMk3 | | | | |
| 5. Court Special Charges (Excess Notices) | 0.00 | 0.00 | 0.00 | 0.00 |
| 6. United States Trustee Fees | 0.00 | 0.00 | 0.00 | 0.00 |
| BkMk6 | | | | |
| TOTALS: | \$853.03 | \$853.03 | \$0.00 | \$853.03 |

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE EASTERN DISTRICT OF TEXAS

form bill

In Re:

Case No: 99-91178 bp

Brian Keith Beard
Rhonda Lynne Beard

Chapter: 7

Debtor(s)

FILED
U.S. BANKRUPTCY COURT
EASTERN DISTRICT OF TEXAS
01 FEB 21 PM 2:26
CLERK, U.S. BANKRUPTCY COURT
BY _____ DEPUTY

BILL OF COURT COSTS

To: Stephen Zayler
P.O. Box 150743
Lufkin, TX 75915-0743

Notice is hereby given that court costs (and deferred adversary filing fees, if applicable) are due and owing, pursuant to 28 USC Section 1930, in the above case in the amount of **\$0.00**.

These costs are itemized as follows:

NOTICES

\$.25 per notice in excess of 50 notices mailed prior to 1/1/87. **\$0.00**

\$.50 per notice for all notices mailed 1/1/87 between 1/1/98. **\$0.00**

NOTE: For Chapter 7 cases filed after 12/1/92, there will be NO NOTICE FEES.

(Do Not Bill for \$.50 per notice)

NOTE: For all other chapters filed after 1/1/98, there will be NO NOTICE FEES. (Do Not Bill for \$.50 per notice)

PROCESSING CLAIMS

NOTE: Eliminated is the fee of \$.25 for clerical processing of each claim in excess of 10 in cases filed under the Act or Code.

DEFERRED ADVERSARY FILING FEES

0 Chapter 7 Adversary Proceeding filed @ \$120.00/150.00 each.

\$0.00

NOTE: For all Adversary Proceedings filed after 12/18/96 the filing fee is \$150.00.

TOTAL AMOUNT DUE

\$0.00

Check to be made payable to Clerk, U.S. Bankruptcy Court

Date: 02/21/2001

JAMES D. TOKOPH
Clerk of Court

By: Cheri Bertland

Deputy Clerk

NOTE: For Chapter 11 Cases Only: Court costs are due on or before the confirmation hearing. The Judge will confirm that these cases have been paid at the hearing.

SCHEDULE D

SECURED CLAIMS

| Claim no. | Amount Claimed | Amount Not Determined | Amount Allowed | Previously Paid | Due |
|-----------|-------------------|--------------------------|-------------------|--------------------|------|
| TOTALS | 0.00 | | 0.00 | 0.00 | 0.00 |

IDENTIFICATION OF SECURED PARTIES AFFECTED:

Claim No. Name of Creditor

Claim No. Name of Creditor

SCHEDULE E

PRIORITY CLAIMS OTHER THAN ADMINISTRATIVE EXPENSES IN THE FOLLOWING ORDER OF PRIORITY

| | (1) Amount Claimed | (2) Amount Allowed | (3) Amount Paid | (4) Due |
|---|-----------------------|-----------------------|--------------------|---------|
| 1. For Credit extended - Sec. 364(e)(1) | 0.00 | 0.00 | 0.00 | 0.00 |
| 2. Claims from failure of adequate protection - Sec. 307(a)(b) | 0.00 | 0.00 | 0.00 | 0.00 |
| 3. "Gap Claims" - Sec. 507(a)(2) | 0.00 | 0.00 | 0.00 | 0.00 |
| 4. Wages, etc. - Sec. 507(a)(3) | 0.00 | 0.00 | 0.00 | 0.00 |
| 5. Contributions to benefit plans - Sec. 507(a)(4) | 0.00 | 0.00 | 0.00 | 0.00 |
| 6. Consumer deposits - Sec. 507(a)(6) | 0.00 | 0.00 | 0.00 | 0.00 |
| 7. Taxes - Sec. 507(a)(7) | 0.00 | 0.00 | 0.00 | 0.00 |
| 8. Other (No Basis): | 0.00 | 0.00 | 0.00 | 0.00 |
| TOTALS: | \$0.00 | \$0.00 | \$0.00 | \$0.00 |

SCHEDULE E

PARTIES AFFECTED:

| Priority No. Name of Creditor | | Priority No. Name of Creditor | | |
|---|-----------|-------------------------------|------|-----------|
| FILED UNSECURED CLAIMS TOTAL: | 30,716.58 | 30,716.58 | 0.00 | 30,716.58 |
| SUBORDINATED UNSECURED CLAIMS TOTAL: | 0.00 | 0.00 | 0.00 | 0.00 |

EXHIBIT A
ANALYSIS OF CLAIMS REGISTER

Case Number: 99-91178

Page 1

Date: March 08, 2001

Debtor Name: BEARD, BRIAN KEITH

Claim Type Sequence

| Code # | Creditor Name & Address | Claim Class | Notes | Scheduled | Claimed | Allowed |
|---|--|-------------|-----------------|-----------|----------------|-------------|
| 1 070 UC | EVANS DISCOUNT AUTO WORLD P. O. BOX 1107 CROCKETT, TX 75835 | Unsecured | | \$0.00 | \$29,865.12 | \$29,865.12 |
| 2 070 UC | GE CARD SERVICES P. O. BOX 9001557 LOUISVILLE, KY 40290-1557 | Unsecured | | \$0.00 | \$851.46 | \$851.46 |
| 3 000 UC | TONYA WILBURN, GUARDIAN FOR NATHAN A. WILBURN & COTA LANE WILBURN C/O JOHN D. SLOAN, JR. P. O. DRAWER 2909 LONGVIEW, TX 75606 | Unsecured | CLAIM WITHDRAWN | \$0.00 | \$2,000,000.00 | \$0.00 |
| 4 000 UC | TOMMY D. WILBURN C/O MILLER, JAMES, MILLER, WYLY, ET AL P. O. BOX 2044 TEXARKANA, TX 75504-2044 | Unsecured | CLAIM WITHDRAWN | \$0.00 | \$1,000,000.00 | \$0.00 |
| 5 000 UC | BARBARA A. WILBURN C/O MILLER, JAMES, MILLER, WYLY, ET AL P. O. BOX 2044 TEXARKANA, TX 75504-2044 | Unsecured | CLAIM WITHDRAWN | \$0.00 | \$1,000,000.00 | \$0.00 |
| 6 000 UC | TOMMY D. WILBURN C/O MILLER, JAMES, MILLER, WYLY, ET AL P. O. BOX 2044 TEXARKANA, TX 75504-2044 | Unsecured | CLAIM WITHDRAWN | \$0.00 | \$1,000,000.00 | \$0.00 |
| Subtotal For Claim Type UC UNSECURED CLAIMS | | | | \$0.00 | \$5,030,716.58 | \$30,716.58 |
| Case Totals: | | | | \$0.00 | \$5,030,716.58 | \$30,716.58 |

Code #: Trustee's Claim Number, Priority Code, Claim Type

UNITED STATES BANKRUPTCY COURT
FOR THE EASTERN DISTRICT OF TEXAS
LUFKIN DIVISION

| | | |
|---------------------|---|-------------------|
| IN RE: |) | |
| BEARD, BRIAN KEITH |) | CASE NO. 99-91178 |
| BEARD, RHONDA LYNNE |) | |
| |) | CHAPTER 7 |
| DEBTOR(S) |) | |

TRUSTEE'S REPORT OF
PROPOSED FINAL DISTRIBUTIONS

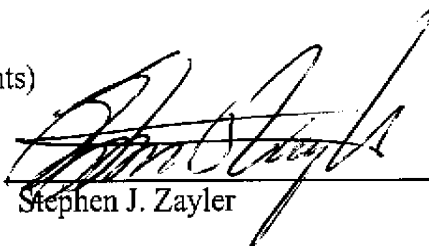
The undersigned trustee of the estate hereby submits to the Court and to the United States Trustee this Report of Proposed Final Distributions.

1. The Court has entered orders which have become final, and which dispose of all objections to claims, all objections to the trustee's Final Report, all applications for compensation, and all other matters which must be determined by the Court before final distribution can be made.

2. The trustee proposes to make final distribution of the funds of the estate as follows, and will make such distribution unless written objection thereto is made, filed and served on the trustee and on the United States trustee.

| | |
|---|------------|
| 1. BALANCE ON HAND | \$2,066.95 |
| 2. ADMINISTRATIVE EXPENSES TO BE PAID * (note) | \$853.03 |
| 3. SECURED CLAIMS TO BE PAID * (note) | \$0.00 |
| 4. PRIORITY CLAIMS TO BE PAID * (note) | \$0.00 |
| 5. UNSECURED CLAIMS TO BE PAID * (note) | \$1,213.92 |
| 6. OTHER DISTRIBUTIONS TO BE PAID * (note) | \$0.00 |
| 7. TOTAL DISTRIBUTIONS TO BE MADE (Sum of lines 2 through 6) | \$2,066.95 |
| 8. ZERO BALANCE AFTER ALL DISTRIBUTIONS (Line 1 less line 7) | \$0.00 |

* (See attached schedule of payees and amounts)



Stephen J. Zayler (Trustee)

PROPOSED DISTRIBUTION

Case Number: 99-91178

Page 1

Date: March 8, 2001

Debtor Name: BEARD, BRIAN KEITH \ BEARD, RHONDA LYNNE

| Claim # | Payee Name | Class | Priority | Amount | Paid to Date | Claim Balance | Proposed Pymt | Funds Remaining |
|--------------|--|-------|----------|-------------|--------------|---------------|---------------|-----------------|
| | Beginning Balance | | | | | | | \$2,066.95 |
| | Stephen J. Zayler - Fees COMPENSATION | Admin | | \$516.74 | \$0.00 | \$516.74 | \$516.74 | \$1,550.21 |
| | Stephen J. Zayler - Exp EXPENSES | Admin | | \$336.29 | \$0.00 | \$336.29 | \$336.29 | \$1,213.92 |
| 1 | EVANS DISCOUNT AUTO WORLD P. O. BOX 1107 CROCKETT, TX 75835 | Unsec | 070 | \$29,865.12 | \$0.00 | \$29,865.12 | \$1,180.27 | \$33.65 |
| 2 | GE CARD SERVICES P. O. BOX 9001557 LOUISVILLE, KY 40290-1557 | Unsec | 070 | \$851.46 | \$0.00 | \$851.46 | \$33.65 | \$0.00 |
| << Totals >> | | | | \$31,569.61 | \$0.00 | \$31,569.61 | \$2,066.95 | \$0.00 |

Proposed distribution is dependent on the Court's rulings on administrative expenses, contest of claims, and/or objections made to this proposed distribution.

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE EASTERN DISTRICT OF TEXAS
LUFKIN DIVISION

IN RE: BRIAN & RHONDA BEARD / BANKRUPTCY CASE: 99-91178
/
/ CHAPTER 7

**NOTICE OF FILING OF FINAL REPORT OF TRUSTEE.
APPLICATION FOR COMPENSATION AND PROPOSED DISTRIBUTIONS**

NOTICE IS GIVEN that the Trustee's Final Report and Account, report of Proposed Final Distribution and Applications for Compensation have been filed. These documents are available for public inspection at the office of the Bankruptcy Clerk, 300 Willow, Suite 100, Beaumont, Texas 77701, or at the trustee's office whose name and address is as follows:

STEVE ZAYLER 123 E. LUFKIN PO BOX 150743 LUFKIN, TX 75915

The following Applications for Compensation have been filed:

| <u>Applicants</u> | <u>Fees Requested</u> | <u>Expenses Requested</u> |
|---|-----------------------|---------------------------|
| <u>STEVE ZAYLER</u> Trustee | <u>516.74</u> | <u>336.29</u> |
| <u>STEVE ZAYLER</u> Attorney for Trustee | <u>0.00</u> | <u>0.00</u> |
| <u>U. S. Bankruptcy Court</u> | <u>0.00</u> | <u></u> |

The trustee's account shows:

| Total Receipts | Total Disbursements | Balance |
|-----------------------|----------------------------|-------------------|
| <u>\$ 2066.95</u> | <u>\$ 0.00</u> | <u>\$ 2066.95</u> |

In addition to the commissions and fees that may be allowed by the Court, liens and priority claims which must be paid in advance of general creditors have been allowed in the total amount of \$ 0.00 ; general unsecured claims have been allowed in the amount of \$ 30716.58 .
The debtor has/has not been discharged.

Written objections to the Final Report, Application for Compensation and/or proposed Distributions must be filed with the Clerk of the Court and served on the trustee at the above mentioned address within 30 days from the date of this notice. If no objections are filed, the Court may consider the Report and Applications without hearing. If objections are filed, a hearing will be held on _____

at _____

Date: _____

JAMES D. TOKOPH, Clerk of Court

By: _____
Deputy Clerk

UNITED STATES BANKRUPTCY COURT
FOR THE EASTERN DISTRICT OF TEXAS
LUFKIN DIVISION

IN RE:)
BEARD, BRIAN KEITH) CASE NO. 99-91178
BEARD, RHONDA LYNNE)
) CHAPTER 7
DEBTOR(S))

**ORDER ALLOWING TRUSTEE'S FINAL APPLICATION FOR COMPENSATION
AND APPROVING TRUSTEE'S FINAL REPORT AND PROPOSED DISTRIBUTION**

ON THIS DAY came on for consideration the Trustee's Final Report filed by Stephen J. Zayler, the duly appointed Chapter 7 Trustee. The Court finds that notice of this hearing has been given as required by the Bankruptcy Rules. Upon due consideration, the Court finds that cause exists which justifies the entry of the following order:

IT IS THEREFORE ORDERED that the Chapter 7 Trustee's final application for compensation in the amount of **\$516.74** and for reimbursement of expenses in the amount **\$336.29** is **Granted**.

IT IS FURTHER ORDERED that the Trustee's Final Report is approved as submitted by the Chapter 7 Trustee, including approval of the payment of the following fees and charges assessed against the Estate under Chapter 123 of title 28 of the United States Code.

| <u>FEES/CHARGES</u> | <u>PROPOSED PAYMENT</u> |
|------------------------------|--------------------------------|
| Clerk Noticing/Claim Fees | \$0.00 |
| Unpaid Adversary Filing Fees | \$0.00 |
| Unpaid Quarterly Fees | \$0.00 |

IT IS FURTHER ORDERED that the Chapter 7 Trustee shall make final distribution of the amounts set forth in the Trustee's Final Report as approved by this Court and shall file a Supplemental Final Report and Account together with such bank statements as are necessary to document a zero balance in all Estate accounts, following compliance with Section 347(a) of the Bankruptcy Code and Bankruptcy Rule 3011, if applicable.

SIGNED this the _____ day of _____, 2001.

BANKRUPTCY JUDGE

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE EASTERN DISTRICT OF TEXAS
LUFKIN DIVISION

IN RE: BRIAN & RHONDA BEARD / BANKRUPTCY CASE: 99-91178
/ CHAPTER 7

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STEVE ZAYLER 123 E. LUFKIN PO BOX 150743 LUFKIN, TX 75915

The following Applications for Compensation have been filed:

| <u>Applicants</u> | <u>Fees Requested</u> | <u>Expenses Requested</u> |
|---|-----------------------|---------------------------|
| <u>STEVE ZAYLER</u> Trustee | <u>516.74</u> | <u>336.29</u> |
| <u>STEVE ZAYLER</u> Attorney for Trustee | <u>0.00</u> | <u>0.00</u> |
| <u>U. S. Bankruptcy Court</u> | <u>0.00</u> | <u></u> |

The trustee's account shows:

| Total Receipts | Total Disbursements | Balance |
|-----------------------|----------------------------|-------------------|
| <u>\$ 2066.95</u> | <u>\$ 0.00</u> | <u>\$ 2066.95</u> |

In addition to the commissions and fees that may be allowed by the Court, liens and priority claims which must be paid in advance of general creditors have been allowed in the total amount of \$ 0.00; general unsecured claims have been allowed in the amount of \$ 30716.58.
The debtor has/has not been discharged.

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at _____

Date: _____

JAMES D. TOKOPH, Clerk of Court

By: _____
Deputy Clerk